

**AN ORDINANCE TO ADOPT TOWN CODE CHAPTER 30.2 PERTAINING TO  
ANIMALS**

**MOTION:**

**SECOND:**

**WHEREAS**, the Town Council periodically reviews its ordinances to ensure they provide adequate rules and regulations that allow for the protection of the public safety and welfare; and

**WHEREAS**, the Town Council has expressed a desire to adopt regulations related to animals;

**NOW THEREFORE BE IT ORDAINED** that Chapter 30.2 of the Middleburg Town Code is adopted as attached.

This ordinance shall be effective upon passage.

Adopted \_\_\_\_\_, 2016.

**Vote: Aye:**

**Nay:**

**Abstain:**

**Absent:**

APPROVED:

\_\_\_\_\_  
Betsy A. Davis, MAYOR

ATTEST:

\_\_\_\_\_  
Rhonda S. North, MMC, Town Clerk

# ANIMALS

## ARTICLE I

### General Provisions

#### § 30.2-1 Definitions

As used in this chapter, the following terms shall have the meanings indicated:

"Animal" means any organism of the kingdom Animalia, other than a human being.

"Companion Animal" means any domestic or feral dog, domestic or feral cat, non-human primate, guinea pig, hamster, rabbit not raised for human food or fiber, exotic or native animal, reptile, exotic or native bird, or any feral animal or any animal under the care, custody or ownership of a person or persons or any animal which is bought, sold, traded or bartered by any person. Agricultural animals, game species or any animals regulated under Federal law as research animals shall not be considered companion animals for the purposes of this Chapter.

"Law-enforcement officer" means any person who is a full-time or part-time employee of a police department or sheriff's office which is part of or administered by the Commonwealth or any political subdivision thereof and who is responsible for the prevention and detection of crime and the enforcement of the penal, traffic or highway laws of the Commonwealth.

"Livestock" includes but is not limited to: all domestic or domesticated bovine animals (cattle, bison); equine animals (horses, mules and donkeys); ovine animals (sheep); porcine animals (swine); cervidae animals (deer); caprae animals (goats); llamas; alpacas; ratites (e.g., emus and ostriches); fish or shellfish in aquaculture facilities, as defined in § 3.2-2600 of the Virginia Code; enclosed rabbits or hares raised for human food or fiber; or any other individual animal specifically raised for food or fiber, except companion animals.

"Owner" means any person who: (i) has a right of property in an animal, (ii) keeps or harbors an animal, (iii) has an animal in his care, or (iv) acts as a custodian of an animal.

"Poultry" includes all domestic fowl and game birds raised in captivity.

#### § 30.2-2 Keeping of swine

A. It shall be unlawful for any person, firm or corporation to keep or allow to be kept any pigs, hogs, sows or like porcine animals within the corporate limits of the town.

- B. The penalty for each violation shall be a fine of not less than twenty-five dollars (\$25) nor more than one hundred dollars (\$100.) for each violation, and a separate offense shall be deemed committed on each day during which a violation occurs or continues.

**§ 30.2-3 Keeping of Poultry**

- A. It shall be unlawful for any person, firm or corporation to keep or allow to be kept any roosters, turkey, ducks or geese within the corporate limits of the town.
- B. It shall be unlawful for any person, firm or corporation to keep or allow to be kept more than six (6) hens at any given time per property address within the corporate limits of the town.
- C. The penalty for each violation shall be a fine of not less than twenty-five dollars (\$25) nor more than one hundred dollars (\$100) for each violation, and a separate offense shall be deemed committed on each day which a violation occurs or continues.

**§ 30.2-4 Confinement of livestock**

The owner or custodian of any livestock lawfully to be kept in the Town of Middleburg shall keep such livestock confined to his own premises by the erection of a suitable fence, so designed and maintained that such livestock will not have access to any adjacent property.

**§ 30.2-5 Confinement of Hens**

The owner or custodian of any poultry lawfully kept in the Town of Middleburg shall keep such hens confined to his own premises.

**§ 30.2-6 Horses and mules on sidewalks**

It shall be unlawful for any person to ride, lead or drive any horse, mule or pony on any sidewalk of the town.

**§ 30.2-7 Killing or slaughtering of animals**

It shall be unlawful for any person to kill, butcher, slaughter or dress any livestock or poultry within the town.

**§ 30.2-8 Display and handling of snakes**

- A. It shall be unlawful for any person to display, exhibit, handle or use any poisonous or dangerous snake or reptile in such a manner as to endanger the life or health of any person.

B. Any person violating the provisions of this section shall be guilty of a Class 1 misdemeanor.

**§ 30.2-9 Reserved**

**ARTICLE II**  
**Dogs and Other Animals**

**§ 30.2-10 Adoption of County Regulations**

Pursuant to Virginia Code Section 3.2, Subtitle V, and the provisions of Loudoun County Code Chapter 612, Loudoun County Chapter 612 is hereby adopted by reference to be the animal control laws of the Town of Middleburg, to include such amendments as may be enacted from time to time.